

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

| | | |
|--------------------------|---|--|
| KONA ICE, INC., |) | |
| |) | Case No. 1:18-cv-41 |
| <i>Plaintiff,</i> |) | |
| |) | Judge Travis R. McDonough |
| v. |) | |
| |) | Magistrate Judge Christopher H. Steger |
| HOWARD HALE and FUN TIME |) | |
| FOODS, LLC, |) | |
| |) | |
| <i>Defendants.</i> |) | |

ORDER

Before the Court is Plaintiff's motion for an extension of time to effect service of process.

(Doc. 8.) Federal Rule of Civil Procedure 4(m) provides:

If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Plaintiff's counsel has detailed the efforts it has made to locate Defendants and to properly effect service. (Doc. 8.) Plaintiff has exercised due diligence in attempting to locate the proper defendant; such efforts constitute good cause. Accordingly, the Court **GRANTS** Plaintiff's motion. (Doc. 8.) Plaintiff shall file proof of service **on or before August 28, 2018**.

SO ORDERED.

/s/ Travis R. McDonough
TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE